

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

RICARDO VERNAIR DODSON,

Plaintiff, : Case No. 2:18-cv-908
v. Judge Sarah D. Morrison
Magistrate Judge Sharon L.
Ovington

GARY C. MOHR, *et al.*, :
Defendants.

ORDER

Plaintiff Ricardo Vernair Dodson, a state prison inmate proceeding without the assistance of counsel, filed a Motion for Relief from Judgment Pursuant to Fed. R. Civ. P. 60(b)(6). (ECF No. 144.) The Motion is **DENIED** for lack of jurisdiction.

First filed in 2018, this case has an extensive history. In July 2021, the Court granted Defendants' motion for summary judgment and entered judgment in their favor. (ECF Nos. 134, 135.) After filing an unsuccessful Motion for Reconsideration (see ECF Nos. 136, 137), Mr. Dodson filed a Notice of Appeal (ECF No. 138). That appeal is still pending. *See Dodson v. Mohr*, No. 21-3778 (6th Cir.).

The filing of a notice of appeal generally "divests the district court of its control over those aspects of the case involved in the appeal." *U.S. v. Omar*, 157 F. Supp. 3d 707, 713 (M.D. Tenn. 2016) (quoting *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 57 (1982)). Though the district court retains limited jurisdiction over such a case, *see id.* at 713–14 (noting that the district court may

properly enforce its judgment and adjudicate matters unrelated to the appeal), those circumstances are not present here. In fact, Mr. Dodson's Motion relates so closely to the matter on appeal that he filed a substantively similar "Judicial Notice" in his Sixth Circuit case. *See Dodson*, No. 21-3778 (docket no. 18). Accordingly, Mr. Dodson's Motion for Relief from Judgment is **DENIED** for lack of jurisdiction.

IT IS SO ORDERED.

/s/ Sarah D. Morrison
SARAH D. MORRISON
UNITED STATES DISTRICT JUDGE